

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

In Re
SAMUEL RIVERA GUADALUPE
xxx-xx-5684

JANET NIEVES MELENDEZ
xxx-xx-0844
Debtors

Case No. **19-01047**

Chapter **13**

**MOTION TO INFORM AMENDMENT TO SCHEDULE A/B
AND CERTIFICATE OF SERVICE**

TO THE HONORABLE COURT:

COME Now the Debtors represented by the undersigned counsel, and respectfully state and pray as follows:

1. On today's date the Debtors are filing an Amended Schedule **A/B**, with the purpose of **including personal property: 2016 FORD EXPLORER.**

2. Such Amended Schedule was accompanied by a Declaration Under Penalty of Perjury signed by Debtors verifying the information contained in the amended schedule. Also, the Amended Schedule was notified through CM/ECF to all CM/ECF participants, including the US Trustee and the Chapter **13** Trustee.

WHEREFORE, the Debtors hereby pray from this Honorable Court to take notice of the above.

NOTICE

Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the clerk's office of the United States Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the court, the interest of justice requires otherwise.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically send notification of such filing to all CM/ECF participants including the US Trustee, and the Case Trustee.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this July 5, 2019.

ALMEIDA + DÁVILA PSC

Attorneys for

SAMUEL RIVERA GUADALUPE

JANET NIEVES MELENDEZ

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/S/ ZELMA DÁVILA CARRASQUILLO

USDC-PR 218913

Email: zdavila@almeidadavila.com

Fill in this information to identify your case and this filing:

Debtor 1 **SAMUEL DAVID RIVERA GUADALUPE**
First Name Middle Name Last Name

Debtor 2 **JANET EILEEN NIEVES MELENDEZ**
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: **DISTRICT OF PUERTO RICO**

Case number **19-01047**

☐ Check if this is an amended filing

Official Form 106A/B Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

- ☐ No. Go to Part 2.
- ☒ Yes. Where is the property?

1.1

**TURABO GARDENS
STREET F R11-4**

Street address, if available, or other description

Caguas PR 00725-0000

City State ZIP Code

Caguas

County

What is the property? Check all that apply

- ☐ Single-family home
- ☒ Duplex or multi-unit building
- ☐ Condominium or cooperative
- ☐ Manufactured or mobile home
- ☐ Land
- ☐ Investment property
- ☐ Timeshare
- ☐ Other

Who has an interest in the property? Check one

- ☐ Debtor 1 only
- ☐ Debtor 2 only
- ☒ Debtor 1 and Debtor 2 only
- ☐ At least one of the debtors and another

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?
\$98,500.00

Current value of the portion you own?
\$98,500.00

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

☒ Check if this is community property (see instructions)

Other information you wish to add about this item, such as local property identification number:

RESIDENTIAL PROPERTY: FIRST FLOOR WITH 1 UNIT THAT INCLUDES 3 ROOMS 1 BATHROOM, AND OTHER UNIT THAT INCLUDES 2 ROOMS AND 1 BATHROOM, SECOND FLOOR WITH 3 ROOMS AND 1 BATHROOM. GROSS LIVING AREA OF 367.50 SQUARE METERS. PURCHASED BY DEBTORS ON 2007 FOR \$223,000.00 . ADDITIONAL CONSTRUCTION COSTS OF \$18,000.00. COMPARABLE SALES AT www.tasamax.com RANGE FROM \$80,000.00 TO \$117,000.00.

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here.....=>

\$98,500.00

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

Debtor 1 **SAMUEL DAVID RIVERA GUADALUPE**
Debtor 2 **JANET EILEEN NIEVES MELENDEZ**

Case number (if known) **19-01047**

3. Cars, vans, trucks, tractors, sport utility vehicles, motorcycles

☐ No
☒ Yes

3.1 Make: **NISSAN**
Model: **ARMADA**
Year: **2005**
Approximate mileage: **142,000**
Other information:
VIN NO. 5N1AA08A15N711260

Who has an interest in the property? Check one

☐ Debtor 1 only
☐ Debtor 2 only
☒ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☒ Check if this is community property
(see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

Current value of the portion you own?

\$6,255.00

\$6,255.00

3.2 Make: **FORD**
Model: **EXPLORER**
Year: **2016**
Approximate mileage: **48,000**
Other information:
**VIN NO. 1FM5K7F85GGC17837
(IN THE NAME OF YEYD SHA RIVERA)
PAYOFF BALANCE OF \$30,332.01 WITH POPULAR LEASING**

Who has an interest in the property? Check one

☐ Debtor 1 only
☐ Debtor 2 only
☒ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☒ Check if this is community property
(see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

Current value of the portion you own?

\$21,074.00

\$21,074.00

4. Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories

Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

☒ No
☐ Yes

5 Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here.....=>

\$27,329.00

Part 3: Describe Your Personal and Household Items

Do you own or have any legal or equitable interest in any of the following items?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

6. Household goods and furnishings

Examples: Major appliances, furniture, linens, china, kitchenware

☐ No
☒ Yes. Describe.....

HOUSEHOLD GOODS AND FURNISHINGS: 1 LIVING ROOM SETS, 2 DINING ROOM SETS, 3 BEDROOM SETS, LOVE SEAT, 2 FOUTONS, REFRIGERATOR, FREEZER, STOVE, MICROWAVE, WASHER, DRYER, 7 AIR CONDITONERS, 6 CEILING FANS, AND GENERAL HOUSEHOLD GOODS AND KITCHEN EQUIPMENT.

\$5,000.00

1 LIVING ROOM SET AND BEDROOM SET

\$2,500.00

Debtor 1 **SAMUEL DAVID RIVERA GUADALUPE**
Debtor 2 **JANET EILEEN NIEVES MELENDEZ**

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7. Electronics

Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games

☐ No

☒ Yes. Describe.....

7 TELEVISION SETS, 2 IPAD TABLETS, 2 CELLULAR PHONES, 2 LAPTOP COMPUTERS, AND 1 STEREO.

\$5,000.00

8. Collectibles of value

Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles

☒ No

☐ Yes. Describe.....

9. Equipment for sports and hobbies

Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments

☒ No

☐ Yes. Describe.....

10. Firearms

Examples: Pistols, rifles, shotguns, ammunition, and related equipment

☒ No

☐ Yes. Describe.....

11. Clothes

Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories

☐ No

☒ Yes. Describe.....

WEARING APPAREL FOR PERSONAL USE.

\$2,000.00

12. Jewelry

Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver

☐ No

☒ Yes. Describe.....

2 WEDDING RINGS; 2 CHAINS; 3 WATCHES; FASHION ACCESSORIES.

\$3,000.00

13. Non-farm animals

Examples: Dogs, cats, birds, horses

☐ No

☒ Yes. Describe.....

DOGS: 1 GOLDEN RETRIEVER, 1 AKITA, 1 SHIH TZU, 1 SNAUZER AND PARROT

\$3,500.00

14. Any other personal and household items you did not already list, including any health aids you did not list

☒ No

☐ Yes. Give specific information.....

15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here

\$21,000.00

Part 4: Describe Your Financial Assets

Do you own or have any legal or equitable interest in any of the following?

Current value of the

Debtor 1 **SAMUEL DAVID RIVERA GUADALUPE**
Debtor 2 **JANET EILEEN NIEVES MELENDEZ**

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portion you own?
Do not deduct secured
claims or exemptions.

16. Cash

Examples: Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition

☐ No

☒ Yes.....

Cash on hand **\$8.00**

17. Deposits of money

Examples: Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.

☐ No

☒ Yes.....

Institution name:

**BANCO POPULAR
ACCT. NO. 5860**

17.1. Checking

\$425.00

18. Bonds, mutual funds, or publicly traded stocks

Examples: Bond funds, investment accounts with brokerage firms, money market accounts

☒ No

☐ Yes.....

Institution or issuer name:

19. Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture

☒ No

☐ Yes. Give specific information about them.....

Name of entity:

% of ownership:

20. Government and corporate bonds and other negotiable and non-negotiable instruments

Negotiable instruments include personal checks, cashiers' checks, promissory notes, and money orders.

Non-negotiable instruments are those you cannot transfer to someone by signing or delivering them.

☒ No

☐ Yes. Give specific information about them

Issuer name:

21. Retirement or pension accounts

Examples: Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans

☐ No

☒ Yes. List each account separately.

Type of account:

Institution name:

RETIREMENT

RETIREMENT WITH SISTEMA DE RETIRO

\$34,852.71

22. Security deposits and prepayments

Your share of all unused deposits you have made so that you may continue service or use from a company

Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others

☐ No

☒ Yes.

Institution name or individual:

Water

**SECURITY DEPOSIT WITH PR AQUEDUCT
AND SEWER AUTHORITY.**

\$100.00

Electric

**SECURITY DEPOSIT WITH THE PUERTO
RICO ELETRIC POWER AUTHORITY.**

\$150.00

23. Annuities (A contract for a periodic payment of money to you, either for life or for a number of years)

☒ No

Debtor 1 **SAMUEL DAVID RIVERA GUADALUPE**
Debtor 2 **JANET EILEEN NIEVES MELENDEZ**

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☐ Yes..... Issuer name and description.

24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.
26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

☒ No

☐ Yes..... Institution name and description. Separately file the records of any interests.11 U.S.C. § 521(c):

25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit

☒ No

☐ Yes. Give specific information about them...

26. Patents, copyrights, trademarks, trade secrets, and other intellectual property

Examples: Internet domain names, websites, proceeds from royalties and licensing agreements

☒ No

☐ Yes. Give specific information about them...

27. Licenses, franchises, and other general intangibles

Examples: Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses

☒ No

☐ Yes. Give specific information about them...

Money or property owed to you?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

28. Tax refunds owed to you

☒ No

☐ Yes. Give specific information about them, including whether you already filed the returns and the tax years.....

29. Family support

Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement

☒ No

☐ Yes. Give specific information.....

30. Other amounts someone owes you

Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else

☒ No

☐ Yes. Give specific information..

31. Interests in insurance policies

Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance

☒ No

☐ Yes. Name the insurance company of each policy and list its value.

Company name:

Beneficiary:

Surrender or refund value:

32. Any interest in property that is due you from someone who has died

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.

☐ No

☒ Yes. Give specific information..

HEREDITARY INTEREST OVER ESTATE OF DECEASED FATHER OF JOINT DEBTOR CONSISTING OF THE FOLLOWING: PROPERTY LOCATED AT URB. BAIROA CALLE 30 CAGUAS PR, WITH 4 BEDROOMS AND 2 1/2 BATHROOMS. COMPARABLE SALES AT TASAMAX.COM AVERAGE OF \$95,000.00. VALUE OF PROPERTY IS APPROXIMATELY \$95,000.00. REVERSE MORTGAGE DEBT IS APPROXIMATELY \$151,123.88. ESTIMATED LIQUIDATION COSTS OF \$0.00. PROPERTY MUST BE LIQUIDATED AS FOLLOWS: 50% FOR WIDOW PLUS USUFRUCT AND REMAINING 50% BETWEEN JOINT DEBTOR AND 4 SIBLINGS.

\$0.00

33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment

Examples: Accidents, employment disputes, insurance claims, or rights to sue

- ☒ No
☐ Yes. Describe each claim.....

34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims

- ☒ No
☐ Yes. Describe each claim.....

35. Any financial assets you did not already list

- ☒ No
☐ Yes. Give specific information..

36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here.....

\$35,535.71

Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.

37. Do you own or have any legal or equitable interest in any business-related property?

- ☒ No. Go to Part 6.
☐ Yes. Go to line 38.

Part 6: Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.
If you own or have an interest in farmland, list it in Part 1.

46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?

- ☒ No. Go to Part 7.
☐ Yes. Go to line 47.

Part 7: Describe All Property You Own or Have an Interest in That You Did Not List Above

53. Do you have other property of any kind you did not already list?

Examples: Season tickets, country club membership

- ☒ No
☐ Yes. Give specific information.....

54. Add the dollar value of all of your entries from Part 7. Write that number here

\$0.00

Debtor 1 **SAMUEL DAVID RIVERA GUADALUPE**
Debtor 2 **JANET EILEEN NIEVES MELENDEZ**

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Part 8: List the Totals of Each Part of this Form

55. Part 1: Total real estate, line 2			\$98,500.00
56. Part 2: Total vehicles, line 5	\$27,329.00		
57. Part 3: Total personal and household items, line 15	\$21,000.00		
58. Part 4: Total financial assets, line 36	\$35,535.71		
59. Part 5: Total business-related property, line 45	\$0.00		
60. Part 6: Total farm- and fishing-related property, line 52	\$0.00		
61. Part 7: Total other property not listed, line 54	\$0.00	+	
62. Total personal property. Add lines 56 through 61...	\$83,864.71		
		Copy personal property total	\$83,864.71
63. Total of all property on Schedule A/B. Add line 55 + line 62			\$182,364.71

Fill in this information to identify your case:

Debtor 1 **SAMUEL DAVID RIVERA GUADALUPE**
First Name Middle Name Last Name

Debtor 2 **JANET EILEEN NIEVES MELENDEZ**
(Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: **DISTRICT OF PUERTO RICO**

Case number **19-01047**
(if known)

☒ Check if this is an amended filing

Official Form 106Dec

Declaration About an Individual Debtor's Schedules

12/15

If two married people are filing together, both are equally responsible for supplying correct information.

You must file this form whenever you file bankruptcy schedules or amended schedules. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Sign Below

Did you pay or agree to pay someone who is NOT an attorney to help you fill out bankruptcy forms?

☒ No

☐ Yes. Name of person _____ Attach Bankruptcy Petition Preparer's Notice, Declaration, and Signature (Official Form 119)

Under penalty of perjury, I declare that I have read the summary and schedules filed with this declaration and that they are true and correct.

X **/s/ SAMUEL DAVID RIVERA GUADALUPE**
SAMUEL DAVID RIVERA GUADALUPE
Signature of Debtor 1

Date **July 2, 2019**

X **/s/ JANET EILEEN NIEVES MELENDEZ**
JANET EILEEN NIEVES MELENDEZ
Signature of Debtor 2

Date **July 2, 2019**